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03 BY WESTERN DISTRICT OF WASHINGTON DEPUTY CLERK U.S. DISTRICT COURT AT SEATTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

05 JOSEPH AGEE,

06 Plaintiff,

07 v.

08 STEVE SUNDBERG, *et al.*,

09 Defendants.

) CASE NO. C08-1718-JLR
)
)
)
) ORDER DISMISSING CASE
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11 The Court, having reviewed the Report and Recommendation of the Honorable Mary
12 Alice Theiler, United States Magistrate Judge, any objections thereto, and the balance of the
13 record, does hereby find and ORDER:

14 (1) The Court adopts the Report and Recommendation;

15 (2) Plaintiff's complaint and this action are DISMISSED under 28 U.S.C. §
16 1915(e)(2)(B)(ii) for failure to state a claim upon which relief can be granted; and

17 (3) The Clerk is directed to send a copy of this Order to plaintiff and to Judge
18 Theiler.

19 DATED this 17th day of April, 2009.

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21 
22 JAMES L. ROBART
United States District Judge

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